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असाधारण

EXTRAORDINARY

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PART II — Section 2

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bills were introduced in Lok Sabha on 5.8.2011.

BILL NO. 35 OF 2011

A Bill to declare the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram, in the State of Tamil Nadu, to be an institution of national importance and to provide for its incorporation and for matters connected therewith.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Act, 2011.

Short title and commencement.

(2) It shall be deemed to have come into force on the 20th day of June, 2011.

2. Whereas the objects of the institution known as the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram, in the State of Tamil Nadu are such as to make the institution one of national importance, it is hereby declared that the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram is an institution of national importance.

Declaration of Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram, as an institution of national importance.

Definitions.

3. In this Act, unless the context otherwise requires,—

- (a) “Board” means the Board of Governors of the Institute;
- (b) “Chairperson” means the Chairperson of the Board;
- (c) “Director” means the Director of the Institute;
- (d) “Institute” means the institution known as the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram incorporated under this Act;
- (e) “notification” means a notification published in the Official Gazette;
- (f) “prescribed” means prescribed by Statutes made under this Act;
- (g) “Registrar” means the Registrar of the Institute;
- (h) “Senate” means the Senate of the Institute;
- (i) “Society” means the society known as the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram, registered under the Tamil Nadu Societies Registration Act, 1975;
- (j) “Statutes” and “Ordinances” means the Statutes and Ordinances of the Institute made under this Act; and
- (k) “Visitor” means the President of India.

Tamil Nadu
Act 27 of
1975.

CHAPTER II

THE INSTITUTE

Incorporation
of Institute

4. (1) The Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram which is a society registered under the Tamil Nadu Societies Registration Act, 1975 is hereby constituted as a body corporate by the name aforesaid and as such body corporate, it shall have perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract and shall, by that name, sue and be sued.

Tamil Nadu
Act 27 of
1975.

(2) The Institute shall consist of a Chairperson, a Director and other members of the Board.

Effect of
incorporation
of Institute.

5. (1) On and from the commencement of this Act,—

- (a) any reference to the Society in any law, other than this Act, or in any contract or other instrument, shall be deemed as a reference to the Institute;
- (b) all property, movable and immovable, of or belonging to the Society shall vest in the Institute;
- (c) all the rights and liabilities of the Society shall be transferred to, and be the rights and liabilities of the Institute; and
- (d) every person employed by the Society, immediately before such commencement shall hold his office or service in the Institute for the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension, leave, gratuity, provident fund and other matters as he would have held if this Act had not been passed, and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by the Statutes:

Provided that if the alteration so made is not acceptable to such employee, his employment may be terminated by the Institute in accordance with the terms of contract with the employee or, if no provision is made therein in this behalf, on

payment to him by the Institute of compensation equivalent to three months' remuneration in the case of permanent employees and one month's remuneration in the case of other employees.

(2) Any person pursuing any academic or research course, at any time before the commencement of this Act, in the Society for award of any degree or diploma and registered for the said purpose with it shall be deemed to have migrated after such commencement to the Institute incorporated under this Act and be registered with the said Institute for grant of the same degree or diploma by the Institute and such person shall be deemed to have migrated and registered with the Institute incorporated under this Act at the same level of study in the Society from which such person is deemed to have migrated.

6. (1) Subject to the provisions of this Act, the Institute shall exercise the following powers and perform the following functions, namely:—

Powers and
functions of
Institute.

(a) to provide for instruction and research in such branches of engineering and technology, management, education, sciences and arts, as the Institute may think fit, and for the advancement of learning and dissemination of knowledge in such branches;

(b) to hold examinations and grant degrees, diplomas and other academic distinctions or titles;

(c) to confer honorary degrees or other distinctions;

(d) to fix, demand and receive fees and other charges;

(e) to establish, maintain and manage halls and hostels for the residence of students;

(f) to supervise and control the residence and regulate the discipline of students of the Institute and to make arrangements for promoting their health, general welfare and cultural and corporate life;

(g) to provide for the maintenance of units of the National Cadet Corps for the students of the Institute;

(h) to create administrative, technical, ministerial, academic and other posts with the prior approval of the Central Government, and to make appointments thereto (except in the case of the Director);

(i) to frame Statutes and Ordinances and to alter, modify or rescind the same;

(j) to deal with any property belonging to or vested in the Institute in such manner as the Institute may deem fit for advancing the objects of the Institute;

(k) to receive gifts, grants, donations or benefactions from the Government and to receive bequests, donations and transfers of movable or immovable properties from testators, donors or transferors, as the case may be;

(l) to co-operate with educational or other institutions in any part of the world having objects wholly or partly similar to those of the Institute by exchange of teachers and scholars and generally in such manner as may be conducive to their common objects;

(m) to institute and award fellowships, scholarships, exhibitions, prizes and medals;

(n) to undertake consultancy in the areas or disciplines relating to the Institute;
and

(o) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the Institute.

(2) Notwithstanding anything contained in sub-section (1), the Institute shall not dispose of in any manner any immovable property without the prior approval of the Central Government.

Institute to be open to all races, creeds and classes.

7. (1) The Institute shall be open to persons of either sex and of whatever race, creed, caste or class, and no test or condition shall be imposed as to religious belief or profession in admitting or appointing members, students, teachers or workers or in any other connection whatsoever.

(2) No bequest, donation or transfer of any property shall be accepted by the Institute which, in the opinion of the Board, involves conditions or obligations opposed to the spirit and object of this section.

Teaching at Institute.

8. All teaching at the Institute shall be conducted by or in the name of the Institute in accordance with the Statutes and Ordinances made in this behalf.

Visitor.

9. (1) The President of India shall be the Visitor of the Institute.

(2) The Visitor may appoint one or more persons to review the work and progress of the Institute and to hold inquiries into the affairs thereof and to report thereon in such manner as the Visitor may direct.

(3) Upon receipt of any such report, the Visitor may take such action and issue such directions as the Visitor considers necessary in respect of any of the matters dealt with in the report and the Institute shall be bound to comply with such directions.

Authorities of Institute.

10. The following shall be the authorities of the Institute, namely:—

(a) Board of Governors;

(b) Senate; and

(c) such other authorities as may be declared by the Statutes to be the authorities of the Institute.

Board of Governors.

11. The Board of Governors of the Institute shall consist of the following members, namely:—

(a) the Chairperson, to be nominated by the Visitor;

(b) the Director, *ex officio*;

(c) one person to be nominated by the Government of Tamil Nadu;

(d) four persons to be nominated by the Central Government having special knowledge or practical experience in respect of engineering education, industry, information technology, design and manufacturing industries;

(e) one professor to be nominated by the Senate;

(f) one nominee of the Ministry in the Central Government dealing with Technical Education; and

(g) one nominee of the Ministry in the Central Government dealing with Information Technology.

Terms of office of, vacancies among and allowances payable to members of Board.

12. (1) Save as otherwise provided in this section, the term of office of the Chairperson or other members of the Board shall be three years from the date of his nomination.

(2) The term of office of an *ex officio* member shall continue so long as he holds the office by virtue of which he is a member.

(3) The term of office of a member nominated under clause (e) of section 11 shall be two years from the 1st day of January of the year in which he is nominated.

(4) The term of office of a member nominated to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he has been nominated.

(5) Notwithstanding anything contained in this section, an outgoing member shall, unless the Board otherwise directs, continue in office until another person is nominated as a member in his place.

(6) The members of the Board shall be entitled to such allowances, if any, from the Institute as may be provided for in the Statutes but no member other than the members referred to in clauses (b) and (e) of section 11 shall be entitled to any salary by reason of this sub-section.

(7) A member may resign his office by writing under his hand addressed to the Central Government but he shall continue in office until his resignation is accepted by that Government.

13. (1) Subject to the provisions of this Act, the Board shall be responsible for the general superintendence, direction and control of the affairs of the Institute and shall exercise all the powers of the Institute not otherwise provided for by this Act, the Statutes and the Ordinances and shall have the power to review the acts of the Senate.

Powers and
functions of
Board.

(2) Without prejudice to the provisions of sub-section (1), the Board shall,—

(a) take decisions on questions of policy relating to the administration and working of the Institute;

(b) institute courses of study at the Institute;

(c) make Statutes;

(d) institute and appoint persons to academic as well as other posts in the Institute;

(e) consider and modify or cancel Ordinances;

(f) consider and pass resolutions on the annual report, the annual accounts and the budget estimates of the Institute;

(g) exercise such other powers and perform such other duties as may be conferred or imposed upon it by this Act or the Statutes.

(3) The Board shall have the power to appoint such committees, as it considers necessary for the exercise of its powers and the performance of its duties under this Act.

14. The Senate of the Institute shall consist of the following persons, namely:—

Senate.

(a) the Director, *ex officio*, who shall be the Chairman of the Senate;

(b) the Professors appointed or recognised as such by the Institute for the purpose of imparting instructions in the Institute;

(c) three persons, not being employees of the Institute, to be nominated by the Board from among educationists of repute, one each from the fields of science, engineering and humanities; and

(d) such other members of the staff as may be laid down in the Statutes.

15. Subject to the provisions of this Act, the Statutes and the Ordinances, the Senate shall be the principal academic body of the Institute and shall have control over and be responsible for maintenance of standards of education, teaching and training, inter-departmental coordination, research, examinations and tests within the Institute and shall

Functions of
Senate.

exercise such other powers and discharge such other duties and functions as may be prescribed or conferred upon it by the Statutes.

Powers and
functions of
Chairperson

16. (1) The Chairperson shall preside at the meetings of the Board and at convocations of the Institute.

(2) It shall be the duty of the Chairperson to ensure that decisions taken by the Board are implemented.

(3) The Chairperson shall exercise such powers and perform such duties as may be assigned to him by or under this Act, Statutes or by resolution of the Board.

Director.

17. (1) The Director of the Institute shall be appointed by the Visitor, on whose directions the Board shall issue an order of appointment.

(2) The Director shall be the principal academic and executive officer of the Institute and shall be responsible for proper administration of the Institute and for imparting of instruction and maintenance of discipline therein.

(3) The Director shall submit annual reports and accounts to the Board.

(4) The Director shall exercise such powers and perform such other duties as may be assigned to him by this Act, the Statutes or Ordinances or by resolution of the Board.

Registrar.

18. (1) The appointment of the Registrar of the Institute shall be on such terms and conditions as laid down by the Statutes.

(2) The Registrar shall be the custodian of records, the common seal, the funds of the Institute and the property of the Institute, as the Board shall commit to his charge.

(3) The Registrar shall act as the Secretary of the Board and such committees, as may be prescribed by the Statutes.

(4) The Registrar shall exercise such other powers and perform such other duties as may be assigned to him by this Act or the Statutes or the Board or the Director and in exercising such powers and in performing such duties, he shall be responsible to the Director for the proper discharge of his functions.

Other
authorities and
officers.

19. The powers and duties of officers other than those mentioned in this Chapter shall be determined by the Statutes.

Grants by
Central
Government.

20. For the purpose of enabling the Institute to discharge its functions efficiently under this Act, the Central Government may after due appropriation made by Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as it may think fit.

Funds of
Institute.

21. (1) The Institute shall maintain a fund to which the following shall be credited, namely:—

(a) all moneys provided by the Central Government or any State Government;

(b) all fees and other charges received by the Institute;

(c) all moneys received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfers; and

(d) all moneys received by the Institute in any other manner or from any other source.

(2) All moneys credited to the Fund of the Institute shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Central Government, decide.

(3) The Fund of the Institute shall be applied towards meeting the expenses of the Institute, including expenses incurred in the exercise of its powers and discharge of its duties under this Act.

22. (1) The Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts, including the balance sheet, in such form as may be specified, by notification, by the Central Government in consultation with the Comptroller and Auditor-General of India. Accounts and audit.

(2) The accounts of the Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Institute to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts, and, in particular, shall have the rights to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute.

(4) The accounts of the Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament in accordance with such procedure as may be laid down by the Central Government.

23. (1) The Institute shall constitute for the benefit of its employees, including the Director in such manner and subject to such conditions as may be prescribed by the Statutes, such pension and provident funds and provide such insurance scheme as it may deem fit. Pension and provident fund.

19 of 1925.

(2) Where any such provident fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 shall apply to such fund as if it were a Government Provident Fund.

24. All appointments of the staff of the Institute, except that of the Director, shall be made in accordance with the procedure laid down in the Statutes, by— Appointments.

(a) the Board, if the appointment is made on the—

(i) academic staff in the post of Associate Professor or above; or

(ii) non-academic staff in any cadre up to a scale of pay as decided by the Board; and

(b) the Director, in other cases.

25. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:— Statutes.

(a) the conferment of honorary degrees;

(b) the formation of departments or divisions of teaching;

(c) the fees to be charged for courses of study in the Institute and for admission to the examinations of degrees and diplomas of the Institute;

(d) the institution of fellowships, scholarships, exhibitions, medals and prizes;

(e) the term of office and the method of appointment of officers of the Institute;

(f) the qualifications of teachers of the Institute;

(g) the classifications, the method of appointment and the determination of the terms and conditions of service of teachers and other staff of the Institute;

(h) the constitution of pension and provident funds and insurance scheme for the benefit of the officers, teachers and other staff of the Institute;

(i) the constitution, powers and duties of the authorities of the Institute;

(j) the establishment and maintenance of halls and hostels;

(k) the conditions of residence of students of the Institute and the levying of fees for residence in the halls and hostels and of other charges;

(l) the allowances to be paid to the Chairperson and members of the Board;

(m) the authentication of the orders and decisions of the Board;

(n) the meetings of the Board, the Senate, or any Committee, the quorum at such meetings and the procedure to be followed in the conduct of their business;

(o) any other matter which by this Act is to be or may be prescribed by the Statutes.

Statutes, how made.

26. (1) The first Statutes of the Institute shall be framed by the Central Government with the previous approval of the Visitor and a copy of the same shall be laid as soon as may be before each House of Parliament.

(2) The Board may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner provided in this section.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of Statutes shall require the previous approval of the Visitor who may assent thereto or withhold assent or remit it to the Board for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

Ordinances.

27. Subject to the provisions of this Act and the Statutes, the Ordinances of the Institute may provide for all or any of the following matters, namely:—

(a) the admission of the students to the Institute;

(b) the courses of study to be laid down for all degrees and diplomas of the Institute;

(c) the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the Institute, and shall be eligible for degrees and diplomas;

(d) the conditions of award of the fellowships, scholarships, exhibitions, medals and prizes;

(e) the conditions and mode of appointment and duties of examining bodies, examiners and moderators;

(f) the conduct of examinations;

(g) the maintenance of discipline among the students of the Institute; and

(h) any other matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.

Ordinances, how made.

28. (1) Save as otherwise provided in this section, Ordinances shall be made by the Senate.

(2) All Ordinances made by the Senate shall have effect from such date as it may direct, but every Ordinance so made shall be submitted, as soon as may be, to the Board and shall be considered by the Board at its next succeeding meeting.

(3) The Board shall have power by resolution to modify or cancel any such Ordinance and such Ordinance shall from the date of such resolution stand modified accordingly or cancelled, as the case may be.

29. (1) Any dispute arising out of a contract between the Institute and any of its employees shall, at the request of the employee concerned or at the instance of the Institute, be referred to a Tribunal of Arbitration consisting of one member appointed by the Institute, one member nominated by the employee, and an umpire appointed by the Visitor. Tribunal of Arbitration.

(2) The decision of the Tribunal shall be final and shall not be questioned in any court.

(3) No suit or proceeding shall lie in any court in respect of any matter, which is required by sub-section (1) to be referred to the Tribunal of Arbitration.

(4) The Tribunal of Arbitration shall have power to regulate its own procedure.

(5) Nothing in any law for the time being in force relating to arbitration shall apply to arbitrations under this section.

CHAPTER III

MISCELLANEOUS

30. The Institute shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act. Control by Central Government.

31. No act of the Institute or Board or Senate or any other body set up under this Act or the Statutes shall be invalid merely by reason of— Acts and proceedings not to be invalidated by vacancies, etc.

(a) any vacancy in or defect in the constitution thereof; or

(b) any defect in the selection, nomination or appointment of a person acting as a member thereof; or

(c) any irregularity in its procedure not affecting the merits of the case.

32. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for removing the difficulty: Power to remove difficulties.

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each of House of Parliament.

33. Notwithstanding anything contained in this Act,—

Transitional provisions.

(a) the Board of Governors of the institute functioning as such immediately before the commencement of this Act shall continue to so function until a new Board is constituted for the Institute under this Act, but on the constitution of a new Board under this Act, the members of the Board holding office before such constitution shall cease to hold office;

(b) the Senate constituted in relation to the Institute before the commencement of this Act shall be deemed to be the Senate constituted under this Act until a Senate

is constituted under this Act for the Institute, but on the constitution of the new Senate under this Act, the members of the Senate holding office before such constitution shall cease to hold office.

Repeal and
saving.

34. (1) The Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Ordinance, 2011 is hereby repealed.

Ord. 2 of
2011.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act.

STATEMENT OF OBJECTS AND REASONS

The Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram (IIITD&M) was set up in the State of Tamil Nadu in January, 2007 by the Government of India as a Society registered under the Tamil Nadu Societies Registration Act, 1975 with the objective of imparting education, training and research development in information technology, design and manufacturing. The Institute has been imparting inter-disciplinary academic and research programme that integrates engineering design, manufacturing and management in information technology. It also supports engineering industries on issues relevant to design and manufacturing. The IIITD&M started enrolling students from the academic year which began in July, 2007 and has since developed into a pioneer technical educational institution of national importance in the field of information technology, design and manufacturing oriented engineering education and research. The students who were enrolled in the year 2007 have passed out this year after completing their studies and were to be awarded degrees. Though for technical reasons the Institute could not be declared as “deemed to be a University” under section 3 of the University Grants Commission Act, 1956, yet the students who have passed out during this year became entitled to be awarded degrees. They would be required to produce their degree certificates to Indian and foreign universities for confirming their admissions and pursuing their higher studies. The students who got campus selection in various industries were required to produce their degree certificates in a time-bound manner.

2. Having regard to the importance of the Institute in the field of technical education and the imperative need to award timely degrees by it to the students who have passed out and also to allow the Institute to continue its educational activities without having recourse to the regulations of the University Grants Commission, it became necessary to recognise the status of the Institute and to declare it as an institution of national importance by law. Further, this will enable the growth of the Institute by having more autonomy in academic, administrative and financial matters.

3. As immediate action was required to be taken to declare the Institute as an institution of national importance by law and as Parliament was not in session, the President promulgated the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Ordinance, 2011 on 20th June, 2011.

4. The notes on clauses explain in detail the various provisions contained in the Bill.

5. The Bill seeks to replace the aforesaid Ordinance.

NEW DELHI;
The 27th July, 2011.

KAPIL SIBAL.

Notes on clauses

Clause 1.—This clause of the Bill provides for the short title and commencement of the proposed legislation. The proposed legislation shall be deemed to have come into force retrospectively, *i.e.*, on the 20th June, 2011 which is the date of promulgation of the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Ordinance, 2011.

Clause 2.—This clause seeks to declare the National Institute of Information Technology, Design and Manufacturing, Kancheepuram in the State of Tamil Nadu as an institution of national importance.

Clause 3.—This clause seeks to define various words and expressions used in the Bill.

Clause 4.—This clause seeks to provide for the constitution of the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram which is a society registered under the Tamil Nadu Societies Registration Act, 1975 as a body corporate with perpetual succession and a common seal with the aforesaid name.

Clause 5.—This clause deals with the effect of incorporation of the Institute.

Clause 6.—This clause seeks to enumerate the various powers and functions of the Institute. These powers, *inter alia*, includes the power to hold examinations and grant degrees, diplomas and other academic distinctions or titles; to fix, demand and receive fees; to frame Statutes and Ordinances; to deal with any property belonging to or vested in the Institute; to undertake consultancy in the areas or disciplines relating to the Institute, etc.

Clause 7.—This clause seeks to provide that the Institute shall be open to persons of either sex, and of whatever race, creed, caste or class, etc.

Clause 8.—This clause seeks to provide that all teaching at the Institute shall be conducted by or in the name of the Institute in accordance with the Statutes and Ordinances.

Clause 9.—This clause seeks to provide that the President shall be the Visitor of the Institute who shall in that capacity appoint one or more persons to review the work and progress of the Institute and to hold inquiries into its affairs and to report thereon and upon receiving report may take action and issue direction.

Clause 10.—This clause seeks to make provision for the authorities of the Institute which include the Board of Governors and the Senate.

Clause 11.—This clause seeks to provide for the composition of the Board of Governors.

Clause 12.—This clause seeks to provide the terms of office of the Chairperson and other Members of the Board of Governors and filling of its vacancies and allowances payable to the Members.

Clause 13.—This clause lays down the powers and functions of the Board.

Clause 14.—This clause seeks to provide for the composition of the Senate of the Institute.

Clause 15.—This clause enumerates the functions of the Senate of the Institute.

Clause 16.—This clause seeks to provide for the powers and functions of the Chairperson.

Clause 17.—This clause makes provision for appointment of the Director and also specifies the powers and the functions to be discharged by the Director.

Clause 18.—This clause seeks to make provision for appointment, powers and functions of the Registrar of the Institute.

Clause 19.—This clause seeks to provide that the powers and duties of officers other than those mentioned in Chapter II shall be determined by the Statutes.

Clause 20.—This clause seeks to provide that the Central Government may pay, after due appropriation made by Parliament, to the Institute grants to enable it to discharge its functions.

Clause 21.—This clause seeks to provide for the maintenance of a Fund by the Institute and the Fund shall be applied towards meeting the expenses of the Institute.

Clause 22.—This clause seeks to provide that the accounts and other relevant records of the Institute shall be maintained in the form specified by the Central Government in consultation with the Comptroller and Auditor-General of India by notification and the same shall be audited by the Comptroller and Auditor-General of India.

Clause 23.—This clause seeks to provide for the constitution of pension and provident funds for the benefit of the employees of the Institute.

Clause 24.—This clause seeks to provide to lay down the procedure for appointments of the staff of the Institute.

Clause 25.—This clause seeks to specify that the Statutes may provide for conferment of honorary degrees; the formation of the Departments or Divisions of teaching; the qualifications of the teachers of the Institute; the allowances to be paid to the Chairperson and Members of the Board; authentication of the Orders and decisions of the Board, etc.

Clause 26.—This clause seeks to provide for the procedure regarding framing of the First Statutes and making of new Statutes as well as their amendment and repeal.

Clause 27.—This clause seeks to specify that the Ordinances may provide for the admission of the students to the Institute; the courses of study to be laid down for all degrees and diplomas of the Institute; the conduct of examinations, the maintenance of discipline among the students of the Institute, etc.

Clause 28.—This clause seeks to provide the procedure for making Ordinances by the Senate.

Clause 29.—This clause seeks to provide for a Tribunal of Arbitration for settlement of disputes between the Institute and its employees.

Clause 30.—This clause seeks to provide for the Institute to carry out the directions of the Central Government for the efficient administration of the proposed legislation.

Clause 31.—This clause seeks to provide that the acts and proceedings of the Institute, Board or Senate or any other body of the Institute not to be invalidated by any vacancy, etc.

Clause 32.—This clause seeks to empower the Central Government to remove the difficulties in giving effect to the provisions of the proposed legislation by order published in the Official Gazette. However, no such order is to be made after a period of two years from the date of commencement of the proposed legislation.

Clause 33.—This clause contains the transitional provisions.

Clause 34.—This clause seeks to provide for repeal of the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Ordinance, 2011 and saving of action taken thereunder.

FINANCIAL MEMORANDUM

The Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram is a Central Government Institute receiving grants-in-aid from that Government for meeting its expenditure. During the financial year 2010-2011, the Institute was sanctioned grants-in-aid to the tune of twenty crore rupees for meeting its recurring and non-recurring expenditure.

Clause 20 of the Bill provides that for the purpose of enabling the Institute to discharge its functions efficiently under the proposed legislation, the Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as it may think fit. The expenditure would be met from the Consolidated Fund of India through the budgetary provision under the Department of Higher Education of the Ministry of Human Resource and Development.

The Bill does not involve any other expenditure from the Consolidated Fund of India, both recurring and non-recurring.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-clause (1) of clause 26 of the Bill empowers the Central Government, to frame, with the previous approval of the Visitor (President of India), the first Statutes of the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram. Sub-clause (2) of the said clause provides that the Board of Governors of the Institute may, from time to time, make new or additional Statutes or amend or repeal such Statutes. Sub-clause (3) of the said clause provides that every new Statute or addition to the Statute or any amendment or repeal of the Statute is required to be made with the previous approval of the Visitor who may assent thereto or withhold assent or remit it to the Board for consideration. The first Statutes made by the Central Government are required to be laid before each House of Parliament.

Clause 27 of the Bill enumerates the matters in respect of which Ordinances may be made by the Senate of the Institute. The Ordinances are subject to the provisions of the proposed legislation and the Statutes. The matters in respect of which Ordinances may be made, *inter alia*, include the admission of the students to the Institute, the courses of study to be laid down for all degrees and diplomas of the Institute; the conditions under which students shall be admitted to the degree or diploma courses and to the examinations of the Institute, the conditions of award of the fellowships, scholarships, exhibitions, medals and prizes, etc.

Sub-clause (1) of clause 28 of the Bill lays down the procedure as to how the Senate of the Institute shall make such Ordinances.

The matters in respect of which the first Statutes shall be made by the Central Government or further Statutes may be made by the Board of Governors or the Ordinances shall be made by the Senate shall be matters of administrative or procedural details and it is not practicable to provide for them in the Bill itself. The delegation of legislative powers is, therefore, of a normal character.

Memorandum explaining the modifications contained in the Bill to replace the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Ordinance, 2011.

The Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Bill, 2011, which seeks to repeal and replace the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram Ordinance, 2011, proposes to make the following modifications, apart from the modifications of a consequential or drafting nature in the provisions contained in the said Ordinance, namely:—

(1) The word “Ordinance” referring to the legislation in the aforesaid Ordinance has been replaced with the word “Act” in the text of clause 1 and certain other places of the Bill as required for the conversion of the Ordinance into an Act of Parliament.

(2) As the Indian Institute of Information Technology, Design and Manufacturing, Kancheepuram in the State of Tamil Nadu was registered as a Society under the Tamil Nadu Societies Registration Act, 1975 (Tamil Nadu Act 27 of 1975), the reference to the Societies Registration Act, 1860 has been suitably modified.

(3) Clause 32 of the Bill which seeks to replace section 32 of the Ordinance relating to the power of the Central Government to remove difficulties, has been modified by way of insertion of a proviso thereto providing that no Order under the proposed provision shall be made after the expiry of a period of two years from the commencement of the proposed legislation.

(4) Clause 34 of the proposed Bill is a new provision dealing with repeal and saving of the Ordinance.

BILL NO. 41 OF 2011

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 2011-12.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

- | | |
|---|---|
| 1. This Act may be called the Appropriation (No. 3) Act, 2011. | Short title. |
| 2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of thirty-four thousand seven hundred twenty-four crores and fifty lakh rupees only towards defraying the several charges which will come in the course of payment during the financial year 2011-12 in respect of the services specified in column 2 of the Schedule. | Issue of Rs.
34724,50,00,000
out of the
Consolidated
Fund of India
for the
financial year
2011-12. |
| 3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year. | Appropriation. |

THE SCHEDULE
(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
1	Department of Agriculture and Cooperation Revenue	2,00,000	..	2,00,000
2	Department of Agricultural Research and Education Revenue	2,00,000	..	2,00,000
4	Atomic Energy Revenue	1,00,000	..	1,00,000
6	Department of Chemicals and Petrochemicals Revenue	420,21,00,000	..	420,21,00,000
9	Ministry of Civil Aviation Revenue	1,00,000	..	1,00,000
11	Department of Commerce Revenue	3,00,000	2,00,000	5,00,000
12	Department of Industrial Policy and Promotion Revenue	1,00,000	9,00,000	10,00,000
13	Department of Posts Capital	..	2,00,000	2,00,000
16	Department of Consumer Affairs Revenue	2,00,00,000	..	2,00,00,000
19	Ministry of Culture Revenue	15,04,00,000	..	15,04,00,000
22	Defence Services — Army Revenue	..	12,00,00,000	12,00,00,000
23	Defence Services — Navy Revenue	1,00,000	..	1,00,000
24	Defence Services — Air Force Revenue	85,56,00,000	..	85,56,00,000
27	Capital Outlay on Defence Services Capital	..	3,00,00,000	3,00,00,000
30	Ministry of Environment and Forests Revenue	1,00,000	..	1,00,000
31	Ministry of External Affairs Revenue	198,54,00,000	..	198,54,00,000
32	Department of Economic Affairs Revenue	1111,79,00,000	..	1111,79,00,000
	Capital	10612,83,00,000	..	10612,83,00,000
33	Department of Financial Services Capital	1,00,000	..	1,00,000
35	Transfers to State and Union territory Governments Capital	..	12000,00,00,000	12000,00,00,000
38	Department of Expenditure Revenue	90,00,000	..	90,00,000
40	Indian Audit and Accounts Department Revenue	25,00,00,000	..	25,00,00,000
41	Department of Revenue Revenue	1,00,000	..	1,00,000
45	Ministry of Food Processing Industries Revenue	95,50,00,000	..	95,50,00,000
46	Department of Health and Family Welfare Revenue	6,00,000	..	6,00,000
	Capital	1,00,000	..	1,00,000
47	Department of Ayurveda, Yoga and Naturopathy, Unani, Siddha and Homoeopathy (AYUSH) Revenue	3,00,000	..	3,00,000
48	Department of Health Research Revenue	2,00,000	..	2,00,000
50	Department of Heavy Industry Revenue	32,00,000	..	32,00,000
52	Ministry of Home Affairs Revenue	1,00,000	..	1,00,000
53	Cabinet Revenue	434,64,00,000	..	434,64,00,000
54	Police Revenue	1759,47,00,000	..	1759,47,00,000
	Capital	2,00,000	..	2,00,000
57	Ministry of Housing and Urban Poverty Alleviation Revenue	1,00,000	..	1,00,000
58	Department of School Education and Literacy Revenue	2,00,000	..	2,00,000
59	Department of Higher Education Revenue	2,00,000	..	2,00,000
60	Ministry of Information and Broadcasting Capital	8,63,00,000	..	8,63,00,000
61	Ministry of Labour and Employment Revenue	1,00,000	..	1,00,000
66	Ministry of Mines Capital	68,87,00,000	..	68,87,00,000
72	Ministry of Personnel, Public Grievances and Pensions Revenue	2,00,000	..	2,00,000
73	Ministry of Petroleum and Natural Gas Capital	1585,74,00,000	..	1585,74,00,000
74	Ministry of Planning Revenue	1,00,000	..	1,00,000
75	Ministry of Power Revenue	31,49,00,000	..	31,49,00,000

1	2	3		
No. of Vote	Services and purposes	Sums not exceeding		
		Voted by Parliament	Charged on the Consolidated Fund	Total
		Rs.	Rs.	Rs.
82	Department of Rural Development Revenue	2300,01,00,000	..	2300,01,00,000
85	Department of Science and Technology . . Revenue	2,00,000	..	2,00,000
87	Department of Biotechnology Revenue	1,00,000	..	1,00,000
90	Department of Space Capital	1,00,000	..	1,00,000
91	Ministry of Statistics and Programme Implementation Revenue	2375,00,00,000	..	2375,00,00,000
93	Ministry of Textiles Revenue	3,00,000	..	3,00,000
	Capital	18,00,00,000	..	18,00,00,000
94	Ministry of Tourism Revenue	2,00,000	..	2,00,000
96	Andaman and Nicobar Islands Revenue	35,56,00,000	..	35,56,00,000
101	Department of Urban Development Revenue	1,00,000	..	1,00,000
	Capital	2,00,000	20,20,00,000	20,22,00,000
102	Public Works Revenue	1,00,000	..	1,00,000
103	Stationery and Printing Capital	3,55,00,000	..	3,55,00,000
104	Ministry of Water Resources Revenue	1,00,000	..	1,00,000
105	Ministry of Women and Child Development Revenue	1500,00,00,000	..	1500,00,00,000
	TOTAL	22689,17,00,000	12035,33,00,000	34724,50,00,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114 (1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure charged on the Consolidated Fund of India and the grants made by the Lok Sabha for expenditure of the Central Government, excluding Railways, for the financial year 2011-12.

PRANAB MUKHERJEE.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

**[Copy of letter No. 4(11)-B(SD)/2011, dated 1.8.2011 from Shri Pranab Mukherjee,
Minister of Finance to the Secretary-General, Lok Sabha]**

The President, having been informed of the subject matter of the proposed Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the Financial year 2011-12, recommends under article 117(1) and (3) of the Constitution, the introduction of the Appropriation (No. 3) Bill, 2011 in the Lok Sabha and also the consideration of the Bill.

T.K. VISWANATHAN
Secretary General.